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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 6268 of 2006.
Date of Decision : Oct. 23, 2006

Sukhmander Singh

... Petitioner

Versus

State of Haryana etc.

.. Respondents

CORAM : Hon`ble Mr. Justice Jasbir Singh,
Hon`ble Mr. Justice Pritam Pal.

Present : Mrs. Anju Arora, Advocate,
for the petitioner.

Shri S.S.Patter, Sr. DAG, Haryana,
for the respondent-State.

Shri P.S.Jammu, Advocate,
for respondent No.3.

JASBIR SINGH, J. (Oral)

This writ petition has been filed with a prayer to quash order dated 11.10.2005 (Annexure P/7), passed by respondent No.2 and also order dated 28.3.2006 (Annexure P/8), passed by Financial Commissioner and Principal Secretary, respondent No.1, vide which petitioner was removed from the post of Sarpanch and his appeal was also dismissed.

It is apparent from record that action was taken against the petitioner under Section 175 (1)(q) of the Haryana Panchayati Raj Act, 1994

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(for short, "the Act").

Counsel for the petitioner states that vide notification dated 17th August, 2006, the State of Haryana has deleted the above said clause (q) of Sub Section (1) of Section 175 from the Act. It has further been brought to the notice of this Court that the post of Sarpanch is lying vacant and fresh election has not been conducted.

In view of facts stated above, this writ petition is allowed and the orders, under challenge, are set-aside.

[JASBIR SINGH]
JUDGE

[PRITAM PAL]
JUDGE

October , 2006
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